

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-RJK

**NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,**

Defendants.

NOTICE OF MOTION TO FILE DOCUMENT UNDER SEAL

PLEASE TAKE NOTICE THAT Defendant Norfolk and Portsmouth Belt Line Railroad Company (the “Belt Line”), by counsel, pursuant to Local Civil Rule 5 and the Stipulated Protective Order entered on October 29, 2019 (D.E. 79), is moving this Court for leave to file under seal unredacted portions of its reply in support of its Motion for Summary Judgment against CSX Transportation, Inc.

As set forth in the Belt Line’s nonconfidential memorandum in support of this motion to seal, the information to be filed under seal has been designated “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by plaintiff CSX Transportation, Inc. and co-defendant Norfolk Southern Railway Company. It contains highly confidential and sensitive information relating to CSXT’s, NS’s, and the Belt Line’s transportation and shipping practices, business strategies, internal communications, and other highly confidential, proprietary, and sensitive business information, the release of which would harm the parties.

Any party or non-party may submit memoranda in support of or in opposition to this motion within seven days, designating all or part of such memoranda as confidential. Any information designated as confidential in a supporting or opposing memorandum will be treated as sealed

pending a determination by the Court on the motion to seal. Any person objecting to this motion must file an objection with the Clerk within seven days after the filing of this motion. If no objection is filed in a timely manner, the Court may treat the motion as uncontested.

Dated: May 13, 2021

**NORFOLK AND PORTSMOUTH BELT LINE
RAILROAD COMPANY**

By: /s/ James L. Chapman, IV

James L. Chapman, IV, VSB No. 21983
W. Ryan Snow, VSB No. 47423
David C. Hartnett, VSB No. 80452
Alexander R. McDaniel, VSB No. 92398
CRENSHAW, WARE & MARTIN, P.L.C.
150 W. Main Street, Suite 1500
Norfolk, Virginia 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
jchapman@cwm-law.com
wrsnow@cwm-law.com
dhartnett@cwm-law.com
amcdaniel@cwm-law.com
*Counsel for Norfolk and Portsmouth
Belt Line Railroad Company*

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of May 2021, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Eastern District of Virginia, Norfolk Division, using the electronic case filing system of the court. The electronic case filing system will send a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ James L. Chapman, IV
James L. Chapman, IV, VSB No. 21983
CRENSHAW, WARE & MARTIN, P.L.C.
150 W. Main Street, Suite 1500
Norfolk, Virginia 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
jchapman@cwm-law.com
*Counsel for Norfolk and Portsmouth
Belt Line Railroad Company*